

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

MERCHANT CAPITAL, LLC and)	
NEW SUNSHINE, LLC,)	
)	
Plaintiffs / Counter-claim)	
Defendants,)	
)	CAUSE NO.: 1:13-cv-00873-JMS-DML
)	
v.)	
)	
MELANIA MARKS SKINCARE, LLC,)	
)	
Defendant / Counter-claim)	
Plaintiff.)	

PLAINTIFFS MERCHANT CAPITAL, LLC AND NEW SUNSHINE, LLC'S
DESIGNATIONS OF DEPOSITION TESTIMONY
TO BE OFFERED INTO EVIDENCE AT TRIAL

Plaintiffs Merchant Capital, LLC and New Sunshine, LLC ("Plaintiffs"), by counsel, for their Designations of Deposition Testimony to be Offered into Evidence at Trial, state the following:

1. **Deposition of Jonathan Gross**

Plaintiffs designate the following testimony from the September 9, 2013 deposition of Jonathan Gross that they will offer into evidence at trial:

p. 11: lines 22-23
p. 12: lines 2-25
p. 13: lines 1-11 and 17-25
p. 14: lines 1-5
p. 16: lines 11-19
p. 17: lines 22-25
p. 18: lines 1-6 and 12-15
p. 25: line 25
p. 26: lines 1-25
p. 27: lines 1-17
p. 28: lines 19-22
p. 29: lines 17-25

p. 30: lines 1-11
p. 31: lines 1-5
p. 38: lines 1-18
p. 39: lines 7-25
p. 40: lines 1-24
p. 43: lines 6-25
p. 45: lines 1-25
p. 46: lines 1-7
p. 47: lines 10-15
p. 49: lines 4-12
p. 50: lines 6-11 and 23-25
p. 51: lines 1-5
p. 52: lines 11-22
p. 53: lines 10-19
p. 65: lines 9-25
p. 66: lines 1-25
p. 67: lines 1-9 and 19-25
p. 68: lines 1-24
p. 69: lines 14-25
p. 70: lines 1-10
p. 71: lines 2-18
p. 72: lines 12-24
p. 75: lines 21-25
p. 76: lines 16-25
p. 77: lines 1-8 and 16-18
p. 78: lines 8-21
p. 79: lines 11-25
p. 80: lines 1-17
p. 81: lines 3-7
p. 82: lines 1-15 and 21-25
p. 83: lines 1-25
p. 84: lines 1-25
p. 85: lines 1-25
p. 86: lines 1-23
p. 87: lines 12-25
p. 88: lines 1-25
p. 89: lines 1-25
p. 90: lines 1-25
p. 91: lines 1-3
p. 92: lines 9-25
p. 93: lines 1-8 and 15-25
p. 94: lines 1-5
p. 97: line 16
p. 98: lines 14-25
p. 99: lines 1-25
p. 100: lines 1-25

p. 101: lines 1-3 and 14-25
p. 102: lines 1-4
p. 103: lines 1-14
p. 104: lines 2-25
p. 105: lines 1-18
p. 106: lines 5-7 and 13-25
p. 107: lines 1-10 and 14-25
p. 108: lines 1-25
p. 109: lines 1-25
p. 110: lines 25
p. 111: lines 1-25
p. 112: lines 4-5 and 13-25
p. 113: lines 1-25
p. 114: lines 1-25
p. 115: lines 1-11 and 18-23
p. 116: lines 3-25
p. 117: lines 1-2 and 14-25
p. 118: lines 1-17 and 22-25
p. 119: lines 1-25
p. 120: lines 1-22
p. 121: lines 3-25
p. 122: lines 1-10, 15-18, and 25
p. 123: lines 1-25
p. 124: lines 1-25
p. 125: lines 1-25
p. 126: lines 1-25
p. 127: line 1
p. 128: lines 12-16
p. 129: lines 1-25
p. 130: lines 1-5
p. 142: lines 15-18
p. 145: lines 4-10
p. 157: lines 16-25
p. 158: lines 1-25
p. 159: lines 1-11
p. 160: lines 19-25
p. 161: lines 1-15 and 20-25
p. 162: lines 1-5
p. 163: lines 3-13
p. 164: lines 1-4

2. **Deposition of Melania Trump**

Plaintiffs designate the following testimony from the September 11, 2013 deposition of Melania Trump that they will offer into evidence at trial:

p. 7: lines 18-25
p. 8: lines 1-8
p. 9: lines 6-25
p. 10: lines 1-7
p. 16: lines 1-9
p. 17: lines 6-9
p. 18: lines 2-11 and 22-25
p. 19: lines 1-4, and 20-25
p. 23: lines 14-25
p. 26: lines 14-25
p. 27: lines 1-10, 15-19, and 23-25
p. 28: lines 1-25
p. 29: lines 1-8
p. 30: lines 19-22
p. 31: lines 5-13 and 24-25
p. 32: lines 1-16 and 18-25
p. 33: lines 1-6
p. 34: lines 10-25
p. 35: lines 1-25
p. 36: lines 1-23
p. 38: lines 15-21
p. 39: lines 6-21
p. 41: lines 9-25
p. 42: lines 1-25
p. 43: lines 1-22
p. 44: lines 6-7
p. 45: lines 6-11
p. 47: lines 17-22
p. 48: lines 15-22
p. 49: lines 6-25
p. 51: lines 20-25
p. 52: lines 1-25
p. 53: lines 1 and 10-25
p. 54: lines 1-25
p. 55: lines 1-7
p. 57: lines 3-15
p. 58: lines 13-25
p. 59: lines 1-25
p. 60: lines 1-7
p. 61: lines 4-14

p. 63: lines 19-25
p. 64: lines 1-25
p. 65: lines 1-25
p. 66: lines 1-25
p. 67: lines 1-25
p. 68: lines 8-25
p. 69: lines 1-25
p. 70: lines 1-25
p. 71: lines 1-10 and 16-25
p. 72: lines 1-25
p. 73: lines 1-18
p. 74: lines 8-25
p. 75: lines 16-25
p. 76: lines 1-25
p. 77: lines 1-5 and 12-25
p. 78: lines 1-25
p. 79: lines 1-15
p. 80: lines 8-13 and 17-22
p. 83: lines 1-25
p. 84: lines 1-24
p. 88: lines 17-25
p. 89: lines 1-3
p. 91: lines 9-25
p. 92: lines 1-25
p. 93: lines 1-25
p. 94: lines 1-3 and 5-25
p. 95: lines 1-25
p. 96: lines 1-25
p. 97: lines 1-25
p. 98: lines 1-25
p. 99: lines 1-12
p. 100: lines 4-25
p. 101: lines 1-2 and 22-24
p. 102: lines 3-22
p. 103: lines 14-25
p. 104: lines 1-7 and 19-24
p. 105: lines 10-25
p. 106: lines 1-25
p. 107: lines 1-25
p. 108: lines 1-25
p. 109: lines 1-13 and 15-25
p. 110: lines 1-25
p. 111: lines 15-25
p. 112: lines 1-11
p. 113: lines 2-25
p. 114: lines 1-9

p. 117: lines 15-25
p. 118: lines 20
p. 119: lines 11-12
p. 120: lines 19-25
p. 121: lines 1-22
p. 123: lines 5-25
p. 124: lines 1-17
p. 125: lines 15-25
p. 126: lines 1-3
p. 128: line 25
p. 129: lines 1-15 and 20-25
p. 130: lines 1-2
p. 131: lines 3-25
p. 132: lines 1-25
p. 133: lines 1-25
p. 134: lines 1-6 and 14-25
p. 135: lines 1-9
p. 138: lines 12-14

3. **Deposition of Stephen C. Hilbert**

Plaintiffs designate the following testimony from the October 9, 2013 deposition of Stephen Hilbert that they will offer into evidence at trial:

p. 16: lines 2-9
p. 17: line 25
p. 18: lines 1-6
p. 19: lines 18-23
p. 30: lines 24-15
p. 31: line 1
p. 32: lines 9-25
p. 34: lines 22-25
p. 35: lines 1-5
p. 36: lines 10-14
p. 52: lines 10-12
p. 54: lines 1-5
p. 58: lines 10-13
p. 61: lines 9-11
p. 66: lines 24-25
p. 67: lines 1-4
p. 83: lines 4-5
p. 86: lines 17-25
p. 87: lines 1-25
p. 88: line 1
p. 90: lines 7-10

p. 113: lines 17-25
p. 114: line 1
p. 115: lines 19-25
p. 116: lines 1-6 and 8-17
p. 129: lines 18-25
p. 130: lines 1-4 and 9-13
p. 138: lines 13-16
p. 150: lines 7-14
p. 151: lines 8-14 and 20-25
p. 152: lines 1-14
p. 157: lines 19-25
p. 177: lines 4-19
p. 181: lines 9-22
p. 183: lines 21-25
p. 184: lines 1-2 and 7-15
p. 202: lines 22-25
p. 203: lines 1-3
p. 204: lines 4-9 and 12
p. 205: lines 23-25
p. 206: lines 1-9
p. 207: lines 19-20
p. 208: lines 7-11
p. 214: lines 14-18

4. **Deposition of Cathy Glosser**

Plaintiffs designate the following testimony from the September 10, 2013 deposition of Cathy Glosser that they will offer into evidence at trial:

p. 20: lines 14-19
p. 23: lines 18-25
p. 24: lines 1-6 and 16-18
p. 29: lines 5-12
p. 31: lines 2-13
p. 41: lines 22-25
p. 42: lines 1-6
p. 44: lines 13-14 and 18-25
p. 46: lines 11-17
p. 50: lines 10-22 and 25
p. 51: lines 1-19
p. 56: lines 9-20
p. 64: lines 9-17
p. 85: lines 13-25
p. 86: lines 1-3
p. 93: lines 10-25

p. 94: line 1
p. 95: lines 17-21
p. 96: lines 9-14

5. **Deposition of Scott Matthews**

Plaintiffs designate the following testimony from the October 16, 2013 deposition of Scott Matthews that they will offer into evidence at trial:

p. 12: lines 8-17 and 20-22
p. 13: lines 1-8
p. 15: lines 3-10
p. 17; lines 2-7
p. 20: lines 18-25
p. 21: lines 1-15
p. 22: lines 1-6
p. 28: lines 13-25
p. 29: lines 1-5 and 20-25
p. 30: lines 1-13 and 19-24
p. 37: lines 4-18
p. 41: lines 3-13
p. 43: lines 19-25
p. 44: lines 1-3
p. 46: lines 11-25
p. 47: lines 10-12 and 19-20
p. 53: lines 19-20
p. 54: lines 2-9 and 15-25
p. 55: lines 1-24
p. 56: lines 13-25
p. 58: lines 20-25
p. 59: lines 1-10 and 16-25
p. 60: lines 1-25
p. 61: lines 1-25
p. 62: lines 1-25
p. 63: lines 1-14
p. 64: lines 12-25
p. 65: lines 1-3 and 16-23
p. 67: lines 12-19
p. 69: lines 14-25
p. 78: line 11
p. 79: lines 7-25
p. 80: lines 1-22
p. 81: lines 9-25
p. 82: lines 1-7
p. 83: lines 8-25

p. 84: lines 1-2, 17, and 20-25
p. 85: lines 1-23
p. 88: lines 8-25
p. 89: lines 1-25
p. 90: lines 1-23
p. 91: lines 5-15 and 22-25
p. 92: lines 1-17
p. 95: lines 14-25
p. 96: lines 1-25
p. 97: lines 1-10
p. 101: lines 17-25
p. 102: lines 1-3
p. 104: lines 6-7 and 18-25
p. 105: line 1
p. 114: lines 13-25
p. 115: lines 1-18
p. 116: lines 11-25
p. 117: lines 1-25
p. 118: lines 1-3 and 14-17
p. 119: lines 13-23
p. 120: lines 3-25
p. 121: lines 1-3 and 18-25
p. 122: lines 1-13
p. 123: lines 1-2 and 10-15
p. 124: lines 12-18
p. 132: lines 7-13
p. 134: lines 1-11
p. 144: lines 21-25
p. 145: lines 1-9
p. 146: lines 1-25
p. 147: lines 1-25
p. 148: lines 1-5
p. 154: lines 7-16
p. 155: lines 14-18

6. **Deposition of Eric Weber**

Plaintiffs designate the following testimony from the August 9, 2013 deposition of Eric Weber that they will offer into evidence at trial:

p. 36: lines 13-18
p. 39: lines 14-20
p. 52: lines 4-6 and 11-15
p. 58: lines 14-23
p. 59: lines 19-25

p. 60: lines 1-16
p. 62: lines 8-14
p. 76: lines 10-13
p. 100: line 25
p. 101: lines 1-3
p. 103: lines 23-25
p. 104: lines 1-2
p. 113: lines 17-25
p. 114: lines 1-17
p. 115: lines 9-11
p. 116: lines 7-13
p. 126: lines 2-17
p. 132: lines 10-25
p. 133: line 1
p. 134: lines 8-19
p. 140: lines 21-25
p. 141: line 1
p. 150: lines 2-9
p. 152: lines 14-24
p. 153: lines 1-6
p. 162: lines 2-15
p. 164: lines 9-13
p. 187: lines 2-8
p. 207: lines 9-14
p. 208: lines 1-4
p. 209: lines 2-7
p. 223: lines 2-5 and 18-24

Respectfully submitted,

/s/Jerry M. Padgett
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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of October, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

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